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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

 Docket Number (Optional)
 2043.033US2

In re Application of: Brian Alan Grove et al.

Application No.: 10/749,614

Filed: December 30, 2003

For: METHOD AND SYSTEM TO PUBLISH A SELLER FIXED PRICE OFFER

The owner*, eBay Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/750,052, filed on December 30, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney or agent of record. Reg. No. 47,059

Signature

26 February 2010

Date

Bradley W. Scheer

Typed or printed name

408-660-2015

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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